

# UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

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MATT RUNNINGSHIELD A.K.A.

ROYAL ROCKEFELLER,

PLAINTIFF,

VS.

AMENDED COMPLAINT,  
JURY TRIAL DEMANDED

THE STATE OF MINNESOTA et al.,

MN. DOC. COMM. OF CORR. JOAN FABIAN

ASST. COMM. FERRY CARLSON, WARDEN JESSICA

SYMME-S-BENSON, AND KENT GRANDIENARD,

PROGRAM DIR. LERE STEVENSON, DISCIPLINE UNIT MIKE GREEN,

OSI VINCE KRENZ, OSI JEFF DANKS, L.T. KEVIN MONRO,

Sgt. JEFF BILLY, C.O. JASON SMITH, C.O. JAMES LANG,

DEFENDANT'S,

CIV. NO. 10-800-JMR/RLJ

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1. The Amended Complaint is to release parties named in the original Complaint.

2. The plaintiff releases the State of Minnesota as a named defendant and all claims for redress and relief.

3. The plaintiff releases the MN. Dept. of Corr. as a named defendant and all claims for redress and relief.

4. The plaintiff releases the Comm. of Corr. Joan Fabian as a named party and all claims for redress and relief.

## JURISDICTION

5. This court has jurisdiction over Plaintiff's claims pursuant to 28 U.S.C. § 1331, § 1343(a)(3) and (a)(7), 28 U.S.C. § 1367 and Plaintiff requests that the court apply "diversity jurisdiction" to those defendants who may live out of state according to 28 U.S.C. § 1332.

## VENUE

6. Venue in this court is proper as to all defendants pursuant to 28 U.S.C. § 1391(a)(2) and (b)(2) because the events giving rise to the claims occurred within this district.

## Parties

7. All parties will remain the same in original complaint except those released as stated and will be released from their official capacities as well.

## CAUSES OF ACTION

### FIRST CLAIM FOR RELIEF

42 U.S.C. § 1983 against Defendants Bly and Smith.

8. Defendant's Bly and Smith engaged in a deliberate and outrageous invasion of the plaintiff's bodily integrity that shocks the conscience in violation of his rights under the Fourth or Eighth Amendment's to the Constitution to the United States and 42 U.S.C. § 1983.

Because the plaintiff was unreasonably strip searched and prisoner's still retain a limited expectation of privacy in "Their Persons". Bodily searches must therefore be reasonable.

9. Defendant's ~~misused~~ Bly and Smith misused and abused the official power granted to them by the State in the performance of their official duties

thereby causing the harm to the Plaintiff.

10. Defendants Bluh and Smith engaged in conduct with malice and reckless or callous indifference to the constitutional and statutory rights of the Plaintiff.

### Second Claim for Relief,

42 U.S.C. § 1983 against defendant Monio

11. Defendant Monio engaged in a deliberate and outrageous act by implementing, authoring and releasing a memo. that is NOT DOC policy for offender's not to receive their OTC Med's on canteen purchase during canteen delivery and in order to receive such Med's, offender's must comply with a strip/body search and search, and upholding such memo, on informal grievances of an bodily integrity that shocks the conscience in violation of his rights under the Fourth and EIGHTH AMENDMENT'S to the United States Constitution, and 42 U.S.C § 1983.

12. Defendant Monio misused and abused the official power granted to him by the state in the performance of his official duties thereby causing the harm to the Plaintiff.

13. Defendant Monio engaged in conduct with malice and reckless or callous indifference to the constitutional and statutory rights of the plaintiff.

### Third Claim for Relief

42 U.S.C. § 1983 against Defendant's, L.T. Monio, here Stevenson, Kent Grandliehard, Jessica Symmes-Benson and Terrell Carlson.

14. Defendant's, Monio, Stevenson, Grandliemard, Symmes-Benson and Courson, knew that they ALL had a legal obligation to protect the plaintiff from any U.S. constitutional violations, and knew that their action's and omission's created a substantial risk of serious injury and or harm, to the plaintiff. With deliberate indifference to Mr. Running Shield/ Rockefeller's constitutional rights under the FOURTH and EIGHTH Amendment's to the U.S. Constitution, and 42 U.S.C. § 1983.

15. The deprivations of the plaintiff's rights described herein constitute a risk of harm so grave that it violated contemporary standards of decency.

16. As a direct and proximate result of All of the defendant's action's, the plaintiff suffered injury and damages, including severe mental and emotional distress.

17. As a direct and proximate result of Defendant's act's, which were so outrageous in character and extreme in degree as to be utterly intolerable in a civilized community, the plaintiff suffered severe emotional distress and was injured and damaged thereby.

18. Defendant's ~~Monio, Stevenson, Grandliemard, Symmes-Benson and Courson~~, acting within the scope of his agency, recklessly and with the intention of causing ~~the~~ the plaintiff severe emotional distress, engaged in extreme and outrageous conduct by stripsearching/ searching unreasonably the plaintiff, denying all

of his informal and formal grievances, which allowed and created a threatening and unduly hostile and antagonistic environment.

## RELIEF REQUESTED

WHEREFORE, Plaintiff requests the following relief from this Court:

1. A declaratory judgment that the policies, practices, acts and omissions complained of herein violated Plaintiff's rights of 28 U.S.C. § 2201;
2. Compensatory damages against each Defendant jointly and severally;
3. Punitive damages against Defendant's Bly, Smith, Monio, Sterenson, Grandinard, Symes, Benson, and Carlson, for the emotional injuries sustained as a result of the plaintiff's unreasonable strip body search.
4. Defendant's for the upholding of the made up new rule by L.T. Monio for strip searches before offenders receive their OTC Med's, that is not policy.
5. Retention of jurisdiction over Defendant's until such time that the Court is satisfied that defendant's unlawful policies, practices, acts and omissions no longer exist and will not recur;
6. The reimbursement of the plaintiff's filing fee and all such costs accrued in litigation.

7. Award punitive damages for Defendant's, Monio, Stevenson, Grandiencard, Symmes Benson and Carlson for failure to act.
8. Such further relief as the Court may deem just and proper. { 28 U.S.C. § 2202 }.

- DEMAND FOR JURY TRIAL -

The Plaintiff requests a trial by jury on all issues triable by a jury.

Matt RunningShield AKA Ruzhal Rockefeller  
PLAINTIFF.

M. R. RunningShield

5.25.2010